

Exhibit “H”

Walker County Jail Policy and Procedure

Section 7, Title 7.09

Use of Force and Restraints

WALKER COUNTY SHERIFF'S DEPARTMENT

SECURITY

SECTION 7

Use of Force and Restraints

Title 7.09

Policy

It is the policy of the Walker County Sheriff's Department that force and restraints be used in the Walker County Jail when it is necessary to do so in order to maintain appropriate control and management and provide for secure and orderly running of the Jail.

Procedure

A. ***General***

1. The Walker County Sheriff's Department will operate the Walker County Jail under the belief that control and management of inmates incarcerated there should be by sound scientific methods, stressing moral values and organized persuasion rather than depending upon physical force for effective management and control.
2. When the use of force is necessary, only the minimum amount needed to accomplish the task should be used.
3. Physical force will be used only as a last resort. All reasonable attempts should be made to identify and utilize alternative means to deal with the situation.
4. In providing for a safe and secure institution, the use of force will be divided into two categories, deadly force and non-deadly force.
5. The Sheriff of Walker County, Alabama, will take action concerning any member of the Jail staff who uses physical force when the employment of such force is unjustified.

B. General

1. Deadly force will be defined as force which is likely to cause death or serious bodily injury.
2. Deadly force should be used only as a last resort and then only to prevent an act which could result in death or severe bodily injury to one's self or to another person.

C. Non-Deadly Force

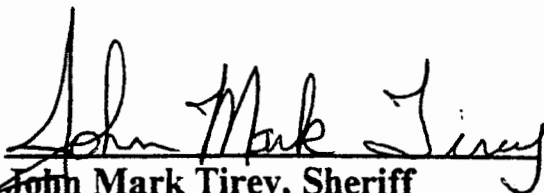
1. Non-deadly force will be defined as force which normally will cause neither death nor serious bodily injury. It may be in the form of physical force, or chemical agents.
2. Physical force or chemical agents may be used in the following incidents:
 - a. Prior to the use of deadly force to prevent the commission of a felony, including escape or to prevent an act which could result in death or serious bodily harm to one's self or another person.
 - b. In defending one's self or others against any physical assault.
 - c. To prevent the commission of a misdemeanor.
 - d. To prevent serious damage to property.
 - e. To enforce Jail regulations.
 - f. To prevent or quell a riot.

D. Restraint

1. When any type of system of restraint is used for any purpose other than security during transportation, the Shift Supervisor must approve such use, unless there is an immediate and urgent need to restrain a person who is uncontrollably violent to himself, others, or property. In this case, the officer in charge of the situation may decide when to apply restraints, but must report this to his Shift Supervisor as soon as the situation has been stabilized.

2. In order to give such notification, a written Incident Report by the officers involved shall be filed with his/her immediate Supervisor immediately after the incident. The Incident Report shall include:
- a. An accounting of the events leading to the use of force.
 - b. A precise detailed report of the incident and the reasons for employing force.
 - c. A description of the weapons or agents used and the manner in which they were used.
 - d. A description of the injuries suffered, if any.
 - e. Whether medical treatment was offered or requested.
 - f. A description of any medical treatment given.
 - g. A list of all participants and witnesses to the incident.

By Order of:


John Mark Tirey, Sheriff

Effective Date: 10-26-98

Reference Form: 8 Incident Report